

BEFORE THE GEORGIA DEPARTMENT OF BANKING AND FINANCE
STATE OF GEORGIA

RANDY JOE CRISP,

Petitioner,

v.

GEORGIA DEPARTMENT OF
BANKING AND FINANCE,

Respondent.

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JAN 20 2012

GEORGIA DEPARTMENT OF
BANKING AND FINANCE

DOCKET NO. DBF-MBL-12-064

CONSENT ORDER

On September 8, 2011, the Georgia Department of Banking and Finance ("Department") issued a proposed Order to Cease and Desist to Randy Joe Crisp in which it was alleged that he violated the Georgia Residential Mortgage Act ("GRMA"), O.C.G.A. § 7-1-1000 *et seq.*, by misrepresenting material facts, making false statements or promises, or submitting false statements or documents likely to influence, persuade, or inducing an applicant for a mortgage loan, a mortgagee, or a mortgagor to take a mortgage loan, or through agents or otherwise, pursuing a course of misrepresentation by use of fraudulent or unauthorized documents or other means to the department or anyone in violation of O.C.G.A. § 7-1-1013(1); engaging in any transaction, practice, or course of business which is not in good faith or fair dealing, or which operates a fraud upon any person, in connection with the attempted or actual making of, purchase of, transfer of, or sale of any mortgage loan in violation of O.C.G.A. § 7-1-1013(6); by purposefully withholding, deleting, destroying, or altering information requested by an examiner of the Department or making false statements or material misrepresentations to the Department

or the Nationwide Mortgage Licensing System and Registry in connection with any investigation conducted by the Department or other governmental agency, a violation of O.C.G.A. § 7-1-1013(11); and by directly or indirectly engaging in the activities of a mortgage loan originator after August 1, 2010, without first being licensed and maintaining a mortgage loan originator license in violation of O.C.G.A. §§ 7-1-1001.1 and 7-1-1002, as well as Department Rule 80-11-5-.01(1).

On or about September 15, 2011, a hearing was timely requested on behalf of Mr. Crisp to appeal the proposed Order to Cease and Desist that was issued to him.

The parties have discussed settlement of the issues raised by the proposed Order to Cease and Desist issued to Randy Joe Crisp and have agreed to a resolution of that matter in its entirety. By entering into this Consent Order, Randy Joe Crisp neither admits nor denies the allegations set forth in the proposed Order to Cease and Desist. Except as provided in Paragraph 12 of this Consent Order, the Department and Randy Joe Crisp agree that this Consent Order shall not be used as evidence of wrongdoing by him.

It is hereby ORDERED as follows:

1. Randy Joe Crisp shall not directly or indirectly hold himself out to any member of the public in any manner as possessing any mortgage license other than that which has been lawfully conferred upon him by the Department and which is active and current as per the records of the Department at the time of the representation.

2. Randy Joe Crisp shall not directly or indirectly transact business with any unlicensed "person" as defined by GRMA unless that person is exempt from licensing or registration requirements pursuant to O.C.G.A. § 7-1-1001. This prohibition expressly precludes Randy Joe Crisp from directly or indirectly working with any employee of a licensed Georgia mortgage broker or Georgia mortgage lender who takes residential mortgage loan applications or

offers or negotiates the terms of a residential mortgage unless that individual holds a current, active Georgia mortgage loan originator's license or is exempt from licensing or registration requirements pursuant to O.C.G.A. § 7-1-1001.

3. For a five-year period from the date on which this Consent Order is signed by the Department's Commissioner (its "entry date"), Randy Joe Crisp shall be prohibited from making an application for a Georgia mortgage broker or Georgia mortgage lender's license, either in his individual capacity or as the owner or officer of a corporation, partnership or limited liability company. During said five-year period, Randy Joe Crisp also shall be prohibited from directing the affairs of a Georgia mortgage broker or Georgia mortgage lender including, but not limited to, as a director, officer, partner, equitable owner, branch manager or any other equivalent role for a licensed Georgia mortgage broker or Georgia mortgage lender.

4. Randy Joe Crisp shall cooperate with the Department in any investigation or administrative or civil action initiated by the Department against any current or former employees of Academy Mortgage Corporation. The cooperation of Randy Joe Crisp shall include, but not be limited to, providing the Department with requested documents, being interviewed by employees of the Department, and providing sworn written and verbal testimony pertaining to Academy Mortgage Corporation, its owners, or any of its current or former employees. This paragraph has been included in this Consent Order at the Department's request; Randy Joe Crisp has made no representation that he can provide any specific information to the Department, nor has Randy Joe Crisp offered to provide any specific information as an inducement to obtain this Consent Order.

5. Randy Joe Crisp shall contribute \$1,000.00 to the State Regulatory Registry, LLC, a wholly-owned subsidiary of the Conference of State Bank Supervisors ("CSBS") to support the Nationwide Mortgage Licensing System and Registry, jointly sponsored by CSBS and the

American Association of Residential Mortgage Regulators. This contribution shall be paid in certified funds, shall be made payable to the State Regulatory Registry, LLC, and shall be remitted to the Department contemporaneously with the execution of this Consent Order.

6. Randy Joe Crisp hereby releases and forever discharges the Department from any and all claims and causes of actions, whether known or unknown, relating to any and all proposed or final orders to cease and desist issued by the Department containing allegations that Randy Joe Crisp violated any provision of GRMA and rules enacted pursuant thereto, including, but not limited to, O.C.G.A. §§ 7-1-1001.1, 7-1-1002, and Department Rule 80-11-5-.01(1).

7. Randy Joe Crisp shall be issued Georgia mortgage loan originator's license number 27363 effective the entry date of this Consent Order.

8. Randy Joe Crisp withdraws the request for a hearing that was filed after receiving the proposed Order to Cease and Desist issued by the Department on September 8, 2011.

9. Contemporaneous with the entry date of this Consent Order, the Department shall withdraw the proposed Order to Cease and Desist issued to Randy Joe Crisp on September 8, 2011.

10. The entry of this Consent Order shall resolve and finally conclude all of the allegations set forth in the proposed Order to Cease and Desist issued to Randy Joe Crisp dated September 8, 2011.

11. Within five business days of the date of entry of this Consent Order, Randy Joe Crisp shall update his responses to the Regulatory Action Disclosure Questions, Section 8.(I), on his MU-4 filing on the Nationwide Mortgage Licensing System and Registry to reflect the existence of this final administrative action against him and the restrictions set forth therein.

12. Randy Joe Crisp shall strictly comply with the terms of this Consent Order, GRMA, and the Georgia Fair Lending Act, O.C.G.A. § 7-6A-1 *et seq.*, as well as any and all

rules enacted by the Department pursuant thereto.

(a) In the event any terms of this Consent Order are violated, the Department may initiate further administrative proceedings against Randy Joe Crisp for such violations. If the Department initiates any administrative proceedings, then violation of this Consent Order, if established by the Department, shall be available for consideration as grounds to support the Department's administrative action(s).

(b) The terms of this Consent Order may be enforced by the Department pursuant to O.C.G.A. § 7-1-1018(b).

13. This Consent Order shall be regarded as a public document that the Department may publish in the same manner as a final order of the agency.

SO ORDERED, this 20th day of January, 2012.



ROBERT M. BRASWELL
Commissioner
Georgia Department of Banking and Finance


Consented to by:



Rod Carnes
Deputy Commissioner
Non-Depository Financial Institutions
Georgia Department of Banking and Finance
2990 Brandywine Road, Suite 200
Atlanta, Georgia 30341

(Signatures continued on the next page.)


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